



February 23, 2001

HOUSE BILL No. 1770

DIGEST OF HB 1770 (Updated February 21, 2001 8:16 PM - DI 98)

Citations Affected: IC 25-1.

Synopsis: Health care provider profiles. Requires the health professions bureau to create and maintain profiles for providers under the jurisdiction of the bureau. Specifies information that must be contained in a profile. Requires the bureau to make profiles available to the public, including on the Internet. Provides that a provider is subject to disciplinary sanctions for failing to provide information for a profile to the bureau or for knowingly providing inaccurate information.

Effective: July 1, 2001.

Welch, Brown C, Brown T

January 17, 2001, read first time and referred to Committee on Human Affairs.
February 22, 2001, amended, reported — Do Pass.

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HB 1770—LS 7894/DI 98+



February 23, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1770

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-1-5-10 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2001]: **Sec. 10. (a) As used in this section, "provider" means an**
4 **individual licensed, certified, registered, or permitted by any of the**
5 **following:**

- 6 (1) **Board of chiropractic examiners (IC 25-10-1).**
- 7 (2) **State board of dentistry (IC 25-14-1).**
- 8 (3) **Indiana state board of health facility administrators**
9 **(IC 25-19-1).**
- 10 (4) **Medical licensing board of Indiana (IC 25-22.5-2).**
- 11 (5) **Indiana state board of nursing (IC 25-23-1).**
- 12 (6) **Indiana optometry board (IC 25-24).**
- 13 (7) **Indiana board of pharmacy (IC 25-26).**
- 14 (8) **Board of podiatric medicine (IC 25-29-2-1).**
- 15 (9) **Board of environmental health specialists (IC 25-32-1).**
- 16 (10) **Speech-language pathology and audiology board**
17 **(IC 25-35.6-2).**

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- (11) State psychology board (IC 25-33).
- (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- (13) Indiana physical therapy committee (IC 25-27).
- (14) Respiratory care committee (IC 25-34.5).
- (15) Occupational therapy committee (IC 25-23.5).
- (16) Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
- (17) Physician assistant committee (IC 25-27.5).
- (18) Indiana athletic trainers board (IC 25-5.1-2-1).
- (19) Indiana dietitians certification board (IC 25-14.5-2-1).
- (20) Indiana hypnotist committee (IC 25-20.5-1-7).

(b) The bureau shall create and maintain a provider profile for each provider described in subsection (a).

(c) A provider profile must contain the following information:

- (1) The provider's name.
- (2) The provider's license, certification, registration, or permit number.
- (3) The provider's license, certification, registration, or permit type.
- (4) The date the provider's license, certification, registration, or permit was issued.
- (5) The date the provider's license, certification, registration, or permit expires.
- (6) The current status of the provider's license, certification, registration, or permit.
- (7) The provider's city and state of record.
- (8) A statement of any disciplinary action taken against the provider within the previous ten (10) years by a board or committee described in subsection (a).

(d) The bureau shall make provider profiles available to the public.

(e) The computer gateway administered by the internet commission under IC 5-21-2 and known as Access Indiana shall make provider profiles available on the Internet at no cost to the public.

(f) The bureau may adopt rules under IC 4-22-2 to implement this section.

SECTION 2. IC 25-1-9-6.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6.9. In addition to the actions listed under section 4 of this chapter that subject a practitioner to disciplinary sanctions,



a practitioner is subject to the exercise of disciplinary sanctions under section 9 of this chapter if, after a hearing, the board finds that the practitioner has:

- (1) failed to provide information requested by the bureau; or
 - (2) knowingly provided false information to the bureau;
- for a provider profile required under IC 25-1-5-10.

SECTION 3. IC 25-1-9-9, AS AMENDED BY P.L.32-2000, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) The board may impose any of the following sanctions, singly or in combination, if it finds that a practitioner is subject to disciplinary sanctions under section 4, 5, 6, ~~or~~ 6.7, **or 6.9** of this chapter or IC 25-1-5-4:

- (1) Permanently revoke a practitioner's license.
- (2) Suspend a practitioner's license.
- (3) Censure a practitioner.
- (4) Issue a letter of reprimand.
- (5) Place a practitioner on probation status and require the practitioner to:
 - (A) report regularly to the board upon the matters that are the basis of probation;
 - (B) limit practice to those areas prescribed by the board;
 - (C) continue or renew professional education under a preceptor, or as otherwise directed or approved by the board, until a satisfactory degree of skill has been attained in those areas that are the basis of the probation; or
 - (D) perform or refrain from performing any acts, including community restitution or service without compensation, that the board considers appropriate to the public interest or to the rehabilitation or treatment of the practitioner.
- (6) Assess a fine against the practitioner in an amount not to exceed one thousand dollars (\$1,000) for each violation listed in section 4 of this chapter, except for a finding of incompetency due to a physical or mental disability. When imposing a fine, the board shall consider a practitioner's ability to pay the amount assessed. If the practitioner fails to pay the fine within the time specified by the board, the board may suspend the practitioner's license without additional proceedings. However, a suspension may not be imposed if the sole basis for the suspension is the practitioner's inability to pay a fine.
- (b) The board may withdraw or modify the probation under subsection (a)(5) if it finds, after a hearing, that the deficiency that required disciplinary action has been remedied, or that changed



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1 circumstances warrant a modification of the order.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Human Affairs, to which was referred House Bill 1770, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, delete ":" and insert **"an individual licensed, certified, registered, or permitted by any of the following:**

- (1) Board of chiropractic examiners (IC 25-10-1).**
- (2) State board of dentistry (IC 25-14-1).**
- (3) Indiana state board of health facility administrators (IC 25-19-1).**
- (4) Medical licensing board of Indiana (IC 25-22.5-2).**
- (5) Indiana state board of nursing (IC 25-23-1).**
- (6) Indiana optometry board (IC 25-24).**
- (7) Indiana board of pharmacy (IC 25-26).**
- (8) Board of podiatric medicine (IC 25-29-2-1).**
- (9) Board of environmental health specialists (IC 25-32-1).**
- (10) Speech-language pathology and audiology board (IC 25-35.6-2).**
- (11) State psychology board (IC 25-33).**
- (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).**
- (13) Indiana physical therapy committee (IC 25-27).**
- (14) Respiratory care committee (IC 25-34.5).**
- (15) Occupational therapy committee (IC 25-23.5).**
- (16) Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).**
- (17) Physician assistant committee (IC 25-27.5).**
- (18) Indiana athletic trainers board (IC 25-5.1-2-1).**
- (19) Indiana dietitians certification board (IC 25-14.5-2-1).**
- (20) Indiana hypnotist committee (IC 25-20.5-1-7)."**

Page 1, delete lines 4 through 6.

Page 1, line 9, delete "For a provider who is a physician, a" and insert "A".

Page 1, line 11, delete "physician's" and insert **"provider's"**.

Page 1, delete lines 12 through 17, begin a new line block indented and insert:

- "(2) The provider's license, certification, registration, or permit number.**
- (3) The provider's license, certification, registration, or permit type.**
- (4) The date the provider's license, certification, registration,**



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or permit was issued.

(5) The date the provider's license, certification, registration, or permit expires.

(6) The current status of the provider's license, certification, registration, or permit.

(7) The provider's city and state of record.

(8) A statement of any disciplinary action taken against the provider within the previous ten (10) years by a board or committee described in subsection (a)."

Delete pages 2 through 4, begin a new paragraph and insert:

"(d) The bureau shall make provider profiles available to the public.

(e) The computer gateway administered by the internet commission under IC 5-21-2 and known as Access Indiana shall make provider profiles available on the Internet at no cost to the public."

Page 5, delete lines 1 through 8.

Page 5, line 9, delete "(j)" and insert "**(f)**".

Page 5, line 15, delete "licensed to practice medicine, licensed as an".

Page 5, line 16, delete "advanced practice nurse, or certified as a physician assistant".

and when so amended that said bill do pass.

(Reference is to HB 1770 as introduced.)

SUMMERS, Chair

Committee Vote: yeas 13, nays 0.

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